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ABSTRACT

Six priority problems of governance are discussed to parallel in part and to complement the Carnegie Commission on Higher Education list of priority problems. The Carnegie Commission suggests the six major problems concern: (1) the adequate provision for intellectual, academic, and administrative independence of the institution; (2) the role of the board of trustees and of the presidency; (3) collective bargaining for faculty members; (4) rules and practices governing tenure; (5) student influence on campus; and (6) handling of emergencies. The author suggests six additional concepts: (1) interdependence of higher education institutions complements independence; (2) the character of the boards of higher education; (3) loss of confidence in higher education; (4) the provision of good teaching; (5) provisions for meeting student needs; and (6) the overriding temper of the institutions that leads to emergency situations. Commentaries concerning this report are included. (Author/MJM)

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The Governance of Higher Education: Selected Problems

Merrimon Cuninggim

When a campus has a good atmosphere it is not an accident. Morale on any college campus starts at the top, and the provision of morale is a problem of governance.

The title for my talk is suggested by the recently published Carnegie Commission study, *The Governance of Higher Education: Six Priority Problems.* All of us are in the Carnegie Commission's debt for the excellent reports they have been producing. They have rendered the field of higher education a great service.

The study holds that government by consensus has broken down because of the restiveness of the faculty and students and because of a variety of outside pressures. It says that we must give increasing attention to achieving a new consensus, or to building back the old one, and, in any event, to face more firmly than we trustees have done in recent years the problems of governance. To this end the Commission selects six priority problems for discussion.

While having high admiration for the Carnegie Commission and its series of studies through the years, I must say that I am disappointed in this study. My dissatisfaction has to do with what the Commission chose to discuss as the priority problems of governance in higher education. All are indeed problems but, to me at least, four of the six are hardly priority ones, if by "priority" we mean that they are of the highest order, higher than problems not mentioned.

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Following this presentation at the AGB National Conference on Trusteeship in San Francisco, April 30, 1973, there was a panel discussion which is also published in this issue.

The first problem is the adequate provision for "intellectual, academic and administrative independence" of the institution. The second has to do with "the role of the board of trustees and of the presidency."

But then there follow the four remaining problems which, to me, are not as important as the Commission suggests:

- Collective bargaining for faculty members;
- Rules and practices governing tenure;
- Student influence on the campus;
- Handling of emergencies.

Let me suggest six other important problems of governance. I choose six simply to parallel in part and to complement the Carnegie Commission's list.

1. *Interdependence.* The Carnegie Commission's first listed problem was the independence of higher education, and the Commission noted its decline by its loss to outside agencies, such as state, church, etc. My position is that some kinds of loss can be beneficial.

Take, for example, the potential importance of the consortia movement, the importance of striking common cause with other institutions of similar interest or close geographical connection. It is fashionable these days in some quarters to pooh-pooh the consortia movement, to point out that whereas it can attract rhetoric of massive proportions, it has never really performed up to its promise. It has been pointed out, further, that strong institutions are the ones slowest to take the consortia movement seriously, perhaps because they *are* strong and feel that they do not need to cooperate with others. I can illustrate that with my own home of St. Louis as well as some other places around the country. In any event, this growing movement recognizes the interdependence of higher education institutions. Largely promise to this point, it has had enough performance to suggest that its promise is valid. Interdependence and independence can go together.

I am surprised that the Carnegie Commission has given little attention to the movement of cooperation among colleges and universities. At the present time Dr. Franklin Patterson, formerly president and founder of Hampshire College and now on the staff of the University of Massachusetts, has undertaken a major study of the consortia in higher education across the country as part of what he calls the "continuing revolution in higher education." It will help us all as we face the question as to how our colleges should consolidate efforts with neighboring institutions.*

*Report scheduled for publication in Spring 1974 by Jossey-Bass, Inc., San Francisco.

2. *The Character of the Board.* The Carnegie Commission's second priority problem had to do with the role of the board and of the president. There is little change in their essential roles through the years, though a good bit of change in respect to individual details here and there and a good bit of question in respect to performance. The problems we have about the role of the board and of the president seem to me to be derivative problems; that is to say, they are dependent upon the kind of people that trustees and presidents are. Thus to my way of thinking, the character of the board is a problem prior to, fundamental to, the role of the board.

What kind of peopie are we who serve on the boards of higher education? This is, I suggest, a problem for higher education as a whole that we have insufficiently faced and that you and I ought to face in the days and years ahead. Are we the guardians of the past? The protectors of the status quo? Is it harder to convince us board members of the desirability for change than it is to convince any other segment of the institution's constituency? Are we resistant to the reduction in any measure of the sovereignty or autonomy of the institution? Are we the ones responsible that so many of our institutions do not explore the possibilities in the area of interdependence previously mentioned? Do we resist the so-called revolution going on in higher education? Are we unrepresentative?

On this last point we have some evidence from a survey of the opinions of board chairmen who think they are representative.* One of the statements on which agreement or disagreement was asked for was, "Membership on governing boards generally does not represent the various groups served by colleges and universities." Fifty-eight percent of the board chairmen disagreed with that statement; only thirty-one percent thought the statement was valid. I wonder, however, what the responses would have been if people representing other constituencies in the college community or even people outside the college had been asked. Now please do not misunderstand my point. I am old-fashioned and stodgy. I do not advocate precise formulas to make us more representative, for tokenism in my view always fails. This does not mean that I do not think we ought to have a variety of people present; it simply means that I think there are not enough black Jewish nuns to go around, and that when we adopt that particular way of trying to make our boards representative we only end up by making fools of ourselves. I *do* believe that we need a diminution of barriers to board membership – age, color,

*Opinion survey of Board Chairmen conducted by AGB prior to the National Conference (published in *AGB Notes*, April 1973, Vol. 4, No. 4).

church membership, Anglo-Saxon heritage, and all the rest.

It is good to see from this survey that a majority of us do think that there should be limitations on age and on terms of service. I advocate that we strive for these limitations in a variety of ways, not just by arithmetical formulas. Look at me: I am over sixty, I am white, I am Anglo-Saxon, and I am Protestant. Horrors! Let's get old codgers like me off the boards and out of the room as soon as possible. Maybe we should get rid of the pleasant device whereby the retired or emeritus members of the board are allowed to sit in the room and by their very presence and often by their voice as well skew the discussion of the problems that come our way. Boards need a broader base in occupation, in age, and in ideas. One of the main problems of higher education in respect to governance these days is the character of the board itself.

3. *Loss of Confidence.* A third problem is the lessening or, to be a little franker, the loss of confidence in higher education in general and in many an individual institution in particular. This is a problem in governance because it affects all of an institution's life. It may very well be governance that can begin first to reverse the direction of thought in respect to this problem.

The lessening or loss of confidence is not really parallel with the Carnegie Commission's third problem, that of collective bargaining, but it does have a slight relationship. There are two kinds of this loss of confidence. The first is the loss of confidence by the public in the institution, its officers and board. Thus, some segments of the public, or of the institution's own constituency, are often highly critical, condemnatory, nonsupportive. These publics look at the colleges and ask, "Are they doing a good job?" The very way in which the question is often posed in the media and elsewhere suggests that they think the colleges are not doing a good job. I do not think there is any need to illustrate this question; it is so widespread and so taken for granted that we on boards have almost forgotten to deal with it. If you have any doubt about this public attitude, stop off at a restaurant that caters to truck drivers or at the 19th hole of your country club. Either place, and at many another besides, you will pick up the opinion that the colleges and universities of this country are no good.

The second type of loss of confidence is that of the board itself, *in* itself, and in the institution. Thus the board is often nervous, defensive, self-protective, easily moved to reprisal. Pose the former question in the first person pronoun, "Are we doing a good job?" We know often that we are not. Again there is no need to illustrate. It would be bad taste to suggest that boards here and there, though certainly not ones represented here, are afraid of tenure for somebody, or withhold-

ing an honorary degree from somebody else, or choosing presidents who are safe. But plenty of other people are suggesting such things. My feeling is that the loss of confidence in higher education is one of the most important problems of governance that we face.

4. *The Provision of Good Teaching.* You might object to my inclusion of this, claiming that teaching is not an act of governance. I would agree, but the *provision* of it is. We as trustees must estimate its quality, encourage it, insist on it, and find appropriate ways to reward it. To suggest, as did the Carnegie Commission, that either collective bargaining or tenure is the most important governance problem in the institution's relationship with the faculty, is to forget the chief end of the educational enterprise. Provisions of good teaching must neither be assumed nor ignored, but must be considered a primary charge on the governance of the institution. If it cannot be measured, it can still be assessed, and its presence should be the primary factor in preferment and reward.

5. *Provision for Meeting Student Needs.* If you thought that my number four did not belong in the list of governance problems, you will undoubtedly feel the same about number five. Like the previous matter of good teaching, concern for students is not an act of governance, to be sure, but provision of it is. These concerns include consulting students, giving them their proper share of governance responsibility, disciplining them when necessary, and providing the setting and the incentive to take them seriously as young adults.

Governor Andersen was saying last night that one of the important things a board of trustees must do is to "care about the institution," and that students should rank high on the list of things to care about. One of our daughters went to a well-known university, got lost and wandered around; but did not feel she should transfer, because as she explained it to me, "Daddy, I haven't made it here yet." In the course of her career she had four majors, and the fourth was a subject that surprised her mother and me. We asked her, "How did you happen to decide on that major?" And she said "Well, I suddenly realized that there were two faculty members in that department who knew my name, and I said, 'Why, that's worth a major!' " Not very funny, is it?

To suggest that student influence on the campus, as the Carnegie Commission did, is a major problem of governance is to run the risk that the institution's primary relationship with students will be seen as one of response, even of confrontation; one of reaction instead of action. We got into the problem of having to deal with student influence because we did not take seriously a prior obligation we had, a basic problem of institutional life,

namely, to find appropriate ways to give evidence of a fundamental concern for students. A climate of concern for students as individuals is not automatic on any campus; it has to be consciously desired and nurtured. There are, of course, a wide variety of ways to do so. To provide the right way is a problem of governance, and you and I as trustees need to give attention to it.

6. *The Overriding Temper of the Institution.* The Carnegie Commission ends its list with "the handling of emergencies," which is indeed crucial on occasion. I don't mean to denigrate it; "he jests at scars who never felt a wound." I was a dean in Texas in the 'fifties when Senator Joseph McCarthy was riding high, and I learned the importance of handling student emergencies or any other kind of emergency in a campus situation. But we need to ask, why do these problems arise in the first place? Among the reasons is the problem of the overarching atmosphere of the institution.

The Carnegie Commission itself concludes its report by saying:

> "The spirit of the enterprise is at stake. A major effort should be made to seek a new consensus as a first order of priority . . . the quality of governance depends in the end, and above all else, on the people who participate in it."

I might add, "depends on their understanding, their loyalty, and their joy in the enterprise." Though the institution's atmosphere is an intangible thing and a by-product of many other things, those charged with the duty of governance, you and me, can work on it; and must do so, because it is basic to a successful resolution of all other problems. When a campus has a good atmosphere it is not an accident. Morale on any college campus starts at the top, and the provision of morale is a problem of governance.

After all this talk about problems, I want to close by saying simply that I for one feel affirmative about higher education today. The Carnegie Commission says governance is a means and not an end. It is "for the sake of the welfare of the academic enterprise." This task of governance in which you and I are engaged is a great task, a great obligation, a great opportunity in which we as trustees have an unparalleled chance. I mean no disparagement of other social institutions, political parties, the media, community groups, the church, when I say that if our society and its values of freedom, of public probity and private integrity are to be saved, honored, and observed, it will depend to a major degree on our colleges and universities.

Commentary

Margaret S. Gordon

I did not draft the report under discussion but I did draft five other reports that the Carnegie Commission has issued. You have to look at the report on governance in the context of all of the other reports that we have issued. All problems of higher education are interrelated and we have to divide them up and put them into "little boxes" in order to pick out a part or one aspect from the problems of higher education for concentration in a given report. Sometimes I found myself very uncomfortable living in one of those little boxes and trying not to discuss problems that have been treated or are about to be treated in another report.

The Commission has been in existence for nearly six years and we have said a lot of things on a lot of subjects. I would submit that every one of the issues to which Dr. Cuninggim referred (indeed they are important issues) have been treated appropriately in one of our other reports. We had many problems getting a report on governance off the ground. Even though I did not work on that report myself I did sit through all the Commission discussions of earlier outlines. We started with a very broad and comprehensive outline on the whole question of governance and it just did not come off. It was going to end up being some kind of treatise or textbook. There were a lot of things that one could say, things which are largely accepted and which are not controversial issues in governance. So we wound up with an outline that did work, one that pinpointed six problems that were called "priority problems." We did not say that these were necessarily the highest problems; they were problems to which there is no question that changes are impending. Looking ahead to the seventies and the eighties, as the rate of increase in enrollment and the rate of increase in the size of the faculty inevitably slows down, I think we have identified some of the problems that are going to create a very great concern and pressure for change.

Now let me say a bit about where the Commission has talked about Dr. Cuninggim's six priority problems. The question of interdependence and consortia was considered at some length in the report *New Students in New Places*. The emphasis in that discussion was on the fact that although lots of consortia have developed in the United States, most of them are paper organizations without much effectiveness. We urged the need for greater effectiveness. I think the Connecticut

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Valley Colleges with which Dr. Patterson is associated, the University of Massachusetts and the neighboring colleges of Mount Holyoke, Amherst, etc., have developed one of the most effective consortia. It achieves very substantial savings in library resources and in specialized faculty because the students can sign up for courses on neighboring campuses.

With respect to Dr. Cuninggim's comments about the character of the board, I think our report did deal with it in discussing the role of the board. One of the major recommendations was that there should be broader representation by age, race, and sex on boards and that there should be representation of students and faculty but not students and faculty from that identical institution – because of the conflict of interest involved. The report also stressed the importance of students and faculty on board committees or on parallel committees dealing with problems of concern to the board.

As for the provision of good teaching, which of course is enormously important, the commission dealt with that primarily in its report on academic reform. I suggest that a report on academic reform was an appropriate place to consider the need for far greater effectiveness of teaching.

One of the major factors obviously that has underlined the loss of confidence in colleges and universities, particularly toward the end of the 1960's, was dissent and disruption. The Commission issued an extensive report on that subject with emphasis on the need for a bill of rights in higher education which would outline both the rights and responsibilities of the board, the faculty, the students, and administrators.

As for emphasis on provision for meeting student needs, this topic was considered primarily in the report on academic reform where I again suggest inclusion was appropriate. There was a good deal of discussion in that report on the fact that the students responding to the Carnegie Commission survey conducted in 1969 emphasized that their colleges and universities, particularly very large campuses, did not have very effective ways of contributing to the student's emotional development and emotional growth. The Commission did make some suggestions on that admittedly difficult problem.

Last, Dr. Cuninggim mentioned the overriding temper. I think there was some discussion and emphasis on this matter in the report on governance. There was a good deal of emphasis on problems of the faculty, not with respect to the quality of teaching which we considered elsewhere, but with respect to two problems which, if allowed to grow like Topsy, could change the character of higher education. The Commission upheld the right

of faculty members to participate in collective bargaining but made a number of points suggesting that faculties ought to be very cautious about the scope of collective bargaining. It said collective bargaining ought to be confined to economic issues and not to issues which would take over what has been the primary responsibility of academic senates for standards, for degree requirements, for faculty work loads and for other questions over which the faculty has had important decision-making powers.

As for tenure, the problem here quite clearly is at the heart of a set of problems that higher education is going to have to face in a period of much slower growth. One of the major concerns of persons in higher education today must be how to bring new young blood onto faculties during a period in which the overall size of faculties in most institutions will have to be stabilized. This is a very large question and one to which I think all boards of trustees are going to have to give a great deal of thought.

Norman G. Sharber

Dr. Cuninggim painted the large picture of the Carnegie series of reports which we have been receiving for several years and then by his own brillance and his own experience went back to put in the texture and the details to give us a sense of real presence in the problems which we face as trustees.

Some authorities say that the universities came through the Renaissance in a more or less isolated fashion caught up in their own history or tradition. In their own conservatism they gained little, and benefited in only minor ways by the great spirit that was moving the rest of mankind at that time. Now the Carnegie Commission tells us that it is time for boards of trustees to have a Renaissance. On one hand, spokesmen of higher education are suggesting that the regents are going through a period of Renaissance and our students are living in the age of Aquarius. Typical of the attitude which we as trustees find in the literature on governance is the Carnegie Commission's recent report which dedicates about forty-seven percent of its time and material to problems of the faculty and salaries, collective bargaining and tenure, eighteen percent of its pages to students, fourteen percent to the relationships of private and public institutions to federal and state government and the remaining ten or twelve percent to the trustees. I have often had the feeling as a regent that we are viewed as weeds in the gardens of higher education. Many years ago I befriended a

Norman G. Sharber has been a member of the Arizona Board of Regents for nine years. He is engaged in petroleum distribution and property development in Flagstaff, Ariz.

philosopher of the road when you could identify such a person because he had a beard and wore old clothes and walked along the highway. After I had fed him and allowed him the use of my razor he left me with a bit of wisdom. He said "a bum is like a weed, it's just the thing for which society has not yet found a use." And I think that is about our problem.

I submit that, as Dr. Cuninggim has certainly strongly indicated in his remarks, we do have a use. The problem is discovering it. Certainly in the literature you have a hard time discerning it but I do not think governance is all that hard to understand if you view it objectively and from a little distance. I remarked to a friend of mine before I came up here that I was going to attend a conference on the governance of universities and he looked at me and said "that statement is self-contradictory." Here again lies one of the problems in the governance of universities. We are not talking in these modern times about governing the universities of such educational idealists as Hutchins or Flexner. We are talking about the governance of modern universities which Clark Kerr has called multiversities and I suspect what Dr. Cuninggim has begun to refer to as consortia.

We find that the body or the spirit of the university may be an enlarging thing. It may be that it no longer ends at the edges of the campus but certainly in the case of state institutions it extends itself at least to the borders of that state. Its membership is more than its faculty and its students; there is a spiritual body to which we all belong and have a part in. The Carnegie Commission report offers this bit of wisdom a little out of context. The report states that the board is essential if for no other reason than by default since no mechanism can provide for governance so well. It then directs itself to the profound question of who should serve on the board. It is as though once they discover one who will serve on the board, the other five honest serving men (who served Rudyard Kipling so well) will somehow come along and fall into place.

I submit that we do have a use, that we may have several uses. I think that our first use is one of loyalty and devotion in a time in which I think faculties no longer identify with the institutions but with their professional societies; that an appointment to the faculty is merely the stepping stone to move on to yet another institution where administrators, even presidents, have short term visits at campuses. Possibly it is the board that must give that institution a sense of continuance. I feel that board members who take it upon themselves to go into public and criticize higher education and criticize their own institutions do neither themselves, their institutions nor their boards any good.

A second thing we must do is to insist that the universities and colleges seek and define their own

institutional goals. Once we know what the institutional goal is, the board can and should require adequate long-range planning so that these goals can be achieved even if they have to be modified from time to time. It is through knowing what the long-range goals are, what the institutional character is, that we can best provide that service which we are often identified with — the best use of the resources available to the institution. We certainly have the obligation to make sure that the priests of education are kept on speaking terms with the state legislators. We must seek finally to blend these uses of the board into a productive agency so that we do not lose confidence in ourselves and the society does not lose confidence in us.

Arthur B. Willis

I am a specialist and therefore I will specialize in a particular segment of governance, one with which I have relationship at the University of Redlands — student life. In the Carnegie report the comment is made that of all of the phases of governance in the undergraduate schools the item that is of greatest significance to the students is dormitory regulation. That is what I have been living with for about five years.

The University of Redlands is a small independent vaguely Baptist-affiliated and traditionally conservative college. When I went on the board nine years ago it, too, was amazingly conservative. About six years ago we had a confrontation when some students went to the president in a very forthright manner and told him what they proposed to do. The president said, "Fine, nobody is going to physically interfere with it, but if you do that you must suffer whatever the appropriate punishment is." They brought Bettina Aptheker on campus, she did speak, and fourteen very fine students, some on scholarships, were suspended. Then the board of trustees sat down and began to examine its own conscience. In the process of examination it took us something less than two weeks to decide that we were wrong, that the rule was wrong. We rescinded the rule, reinstated the students and experienced a renaissance in the total relationship between students and the trustees.

The following year we formed a student life committee and I have been chairman of that for four years. The students immediately wanted coeducational dormitories. I felt that as a professional I had to be both the advocate of the students to the trustees and the advocate of the trustees to the students. We had

Arthur B. Willis is a Trustee of the University of Redlands. He is an attorney in Los Angeles, specializing in taxation.

a constituency that exceeded the student body and went to the alumni, to the parents of the students, and to the donors. It was obviously an area in which we had to move with some degree of caution. This plus the fact that I had a board of trustees that would not let me move any faster. The first year we went to a correlative dormitory with separate buildings and a common lounge and we thought that was pretty daring. Then each year we broke the ice a little bit more. You should have seen us the first year — we had the male students on one side of the quadrangle and the female students on the other side with a no man's land in between. Step by step we have relaxed the rules and regulations and this year I will make a presentation in which I will urge on behalf of the student life committee coeducational dormitories on a suite-by-suite basis. This is nothing very exciting in a way. I am sure many of you are far ahead of us except that we have done this on a basis not of giving up our concepts of morality, rather that we are willing to transfer responsibility for student life to the students which is where it belongs. It has worked beautifully to date and I am satisfied that the next step will work well too.

The students feel they have a right to govern their student living, they feel that it provides an easier atmosphere for them. We found that there is greater security in having both males and females in the same residence hall and we are finding that they are better disciplined, better behaved and all together more mature. One fringe benefit that we did not contemplate from having more weekend activity was more participation in student-wide activities during the week. I think that we would feel that we have a bonus in the transferring of responsibilities to students and that we have taken a long step in developing a good relationship between the students, the faculty, the administration, and the trustees.

A number of questions were raised during an extended open discussion after these presentations, including: evaluation of faculty effectiveness and the quality of teaching; tenure; legislative controls; diffusion of power in governance.